

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Labour Employment Training & Factories Department – Insurance Medical Services – St. Joseph Hospital, Visakapatnam – Grant of exemption permanently from E.S.I. coverage under E.S.I. Act, 1948 – Rejected – Orders – Issued.

G.O.Rt.No. 54

Dated:13.01.2011

Read the following:-

1. Exemption application dated 15.07.2009 of St. Josephs Hospital, Visakapatnam
2. From the DIMS Lr.Rc.No.12628/P1/2008, dated 28.10.2010.

ORDER:

In the reference 1st read above,. the Administrator, St. Joseph's Hospital, Visakhapatnam in his exemption application has stated that they have been in existence as an hospital rendering free service to poor patients since last 50 years. The premises and facilities is operated by the Medical Society of St. Joseph's of Aannecy and this society is made up of Roman Catholic Christian Nuns, who all work free for the operation and functioning of above medical facilities and hospital. There are about 20 workers like ward boys, ambulance drivers and such personnel to assist them, in their work. The workers are paid as per norms of Govt. of A.P and its Labour Department. He has requested the Government to exempt them from the Provisions of ESI Corporation, like being extended to M/s. Ramakrishna Mission, and other Charitable Medical Institutions.

2. In the reference 2nd read above, the Director of Insurance Medical Services, A.P., Hyderabad has stated that the Exemption Committee in its meeting held on 19.10.2010, and the committee has stated that "It is a private Medical Institution coverable under the provision of the Act by virtue of notification effective from 14.10.2008. Besides the above, a comparative analysis of benefits provided to its employees compared to the benefits as per ESI Act, 1948 which has been made available by the Joint Director, SRO, ESI Corporation, Visakhapastnam, reveals that the medical institution virtually does not provide any benefits excepting primary medical care to its employees and family so also Casual leave, Earned leave and medical leave as per governing statute. Therefore on comparative analysis of benefits being provided by the employer are neither superior nor similar to the provisions of benefits of ESI Act. The Committee, therefore, unanimously does not recommend for the grant of exemption.

3. Government, after careful examination of the recommendations of the Standing Committee for Exemptions, hereby reject the request of the St. Joseph's Hospital,

Visakhapatnam for grant of exemption to the employees from the coverage of E.S.I. Act, 1948 permanently , as it was found that the scale of benefits by the employer to the employees are neither similar nor superior of benefits provided under the ESI Act, 1948.

4. The Director of Insurance Medical Services, A.P., Hyderabad', Hyderabad is requested to take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

D. SREENIVASULU
SECRETARY TO GOVERNMENT

To
The Director of Insurance Medical Services, A.P., Hyderabad.
Copy to
The Administrator,
St.Joseph School, Visakhapatnam-530 002.
The Regional Director, ESI Corporation, Hyderabad.

//FORWARDED : : BY ORDER//

SECTION OFFICER